



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

10/27/94

145178

OCT 27 1994

REPLY TO THE ATTENTION OF:
5HSM-5J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Stephen P. Krchma
Environmental Counsel
Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, MO 63167

Re: Request for Substantiation of Confidential Business
Information Claim Made for Portions of Monsanto's Response
to the U.S. EPA Information Request Pursuant to Section
104(e) of CERCLA for the Sauget Area 1 in Sauget, Illinois.

Dear Mr. Krchma:

Monsanto has asserted a claim of business confidentiality covering a vast percentage of its October 17, 1994 response to the United States Environmental Protection Agency (U.S. EPA) Section 104(e) Information Request concerning the Sauget Area 1 Site in Sauget, Illinois. This letter is to notify you that Gail C. Ginsberg, the U.S. EPA, Region V, Regional Counsel will be making a final confidentiality determination concerning this information.

If you feel that some or all of the information included in your Section 104(e) Response is entitled to confidential treatment, please specify which portions of the information you consider confidential. Please be specific by page, paragraph and sentence when identifying the information subject to your claim. For each item or class of information that you identify as being subject to your claim, please comment on the following issues:

1. The period of time for which confidential treatment is desired, e.g. until a certain date or until the occurrence of a certain event, etc.;
2. Measures you have taken to guard against undesired disclosure of the information to others;
3. The extent to which the information has been disclosed to others and the precautions taken in connection therewith;
4. Whether there are pertinent confidentiality determinations by U.S. EPA or other federal agencies. If so, enclose a copy of any such determinations;



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5. Whether you assert that disclosure of the information would be likely to result in substantial harmful effects to your competitive position. If so, explain the nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects (generally including the manner in which a competitor would use the information); and

6. Any other issue you deem relevant.

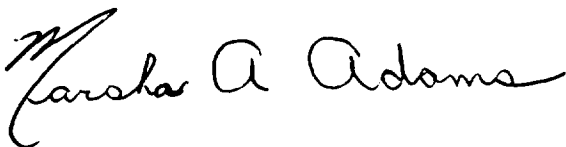
Please note that you bear the burden of substantiating your confidentiality claim pursuant to 40 C.F.R. 2.208(e). Conclusory allegations will be given little or no weight in the determination. If relevant facts necessary to the substantiation are themselves confidential, please identify them as such so that U.S. EPA may maintain their confidentiality pursuant to 40 C.F.R. 2.205(c). In the absence of such identification, your comments will be available to the public without further notice to you.

Your comments must be postmarked or hand delivered to this office by the 15th working day after your receipt of this letter. You may seek an extension of time to submit your comments, but the request must be made before the end of the 15-day period to the address below:

Responsible Party Search Section, (5HSM-5J)
Superfund Planning and Management Branch
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604

Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim. Should you have any questions in this matter, please call me at (312) 353-9484.

Sincerely,



Marsha A. Adams
Responsible Party Investigator

bcc: Thomas Martin, ORC